

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

OCT 21 2009

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

IN RE:

TXCO RESOURCES INC.,

Debtor.

CHAPTER 11 CASE

Case No. 09-51807-RBK

WEATHERFORD INTERNATIONAL,
INC.,

Appellant,

VS.

TXCO RESOURCES, INC., ET AL.,

Appellees.

CIVIL ACTION NO. SA-09-CA-569-FB

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF TXCO RESOURCES,
INC., ET AL.,

Appellant,

VS.

TXCO RESOURCES, INC., ET AL.,

Appellees.

CIVIL ACTION NO. SA-09-CA-580-FB

ORDER DENYING APPELLANT'S MOTIONS TO EXPEDITE APPEAL

Before the Court are Appellant's Motion to Expedite Appeal filed September 24, 2009 (docket #8), the Response to Appellant's Motion to Expedite Appeal filed October 8, 2009 (docket #11), Appellant's Motion to Expedite Appeal filed in cause number SA-09-CA-580-FB on October 6, 2009 (docket #13), and the request for oral argument.

Concerning oral argument, the Court has before it thousands of pages of legal documents in the four TXCO Resources Inc. bankruptcy appeals. (SA-09-CA-569-FB; SA-09-CA-580-FB;

SA-09-CA-638-FB, and SA-09-CA-654-FB) The Court is at a loss to know what more could be said orally, though such in person appearances would further increase the costs to the clients. The request for oral argument is DENIED.

With reference to an expedited appeal, the Court appreciates that particularly out of district counsel may not be aware of the circumstances with which this Court deals:

First, the departure of Senior Judge Furgeson leaves this division with three federal judges for 2.5 million people and little hope the vacancy will be filled soon.

Second, by law the Court is required to give precedence to the 200 felony defendants on my docket at any given time.

Third, there are about 230 civil cases on my docket filed before these appeals. Those folks think their cases are important also.

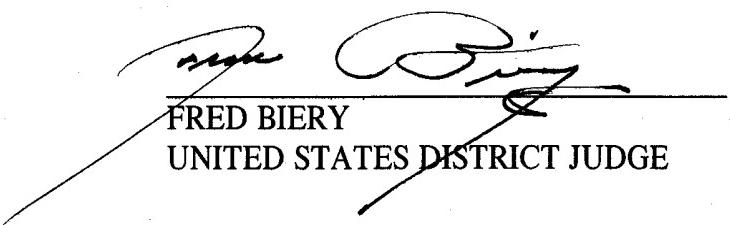
Fourth, this Court takes professional pride in not having matters pending on the "over six month" list. The deadline for meeting that goal for these cases is March 31, 2010. These matters will be dealt with in due time on or before that date.

The motions to expedite (docket #8 in SA-09-CA-569-FB and docket #13 in SA-09-CA-580-FB) the appeal are DENIED.

In the meantime, the parties and counsel might want to heed the words of Isaiah, lawyer Lincoln (see attachment), and come reason together as reasonable business people and counselors at law to fashion a business plan beneficial to creditors and debtors alike.

It is so ORDERED.

Signed this 21st day of October, 2009.


FRED BIERY
UNITED STATES DISTRICT JUDGE



Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough.

Abraham Lincoln